Entered - 09/06/00 - sb CL00L0526 - DIANNE C. MITCHELL

00- _R -1588

CLAIM OF: JANNA SESKIN

2419 North Decatur Road Decatur, Georgia 30033

For damages alleged to have been sustained as a result of vehicular damage due to a metal plate that had slipped off the construction cut on July 8, 2000 at West Peachtree Street between 14th and 16th Streets.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE:

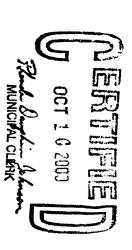
BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to JANNA SESKIN the sum of \$690.73 in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of vehicular damage due to a metal plate that had slipped off the construction cut on July 8, 2000 at West Peachtree Street between 14th and 16th Streets as is more particularly set forth in the within claim; said sum taken from and charged to account 2J01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD **CITY ATTORNEY**

DEPUTY CITY ATTORNEY

APPROVED OCT 2 5 2000

> WITHOUT SIGNATURE BY OPERATION OF LAW





MUNICIPAL CLERK ATLANTA, GEORGIA

00-R-1588

A RESOLUTION

BY PUBLIC SAFETY & LEGAL ADMINISTRATION COMMITTEE

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to Janna Seskin in the sum of \$690.73 in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of a vehicular damage due to a metal plate that had slipped off the construction cut on July 8, 2000 at West Peachtree Street between 14th and 16th as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

Cesil

Deputy Clerk

ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

OCT 16, 2000

OCT 25, 2000

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. <u>00L052</u>	Date: September 18, 2000				
Claimant /Victim JANNA SESKIN					
BY: (Attv)					
BY: (Atty) Address: 2419 North Decatur Roa	nd Decatur Georgia 30033				
Subrogation: Claim for Property damage \$	690.73 Rodily Injury \$				
Date of Notice: 08/18/00 Method: W	Bodily Injury \$				
Conforms to Notice: O C G A 836-33-5 V	Ante Litem (6 Mo.) X				
Date of Occurrence 07/08/00 Pla	West December Street between 14th and 16th Street				
Department Public Works	Place: West Peachtree Street between 14 th and 16 th Streets				
Employee involved	Division: <u>Sewer Operations</u> Disciplinary Action:				
Employee involved	Disciplinary Action:				
NATURE OF CLAIM: The claimant damaged her properly secured over the construction hole.	vehicle when he drove over a metal plate that had not been				
INVESTIGATION:					
Statements: City employee Claimant	Others Written Oral				
Pictures X Diagrams Reports: Poli	Others Written Oral ce Dept Report X Other				
Traffic citations issued: City Driver	Claimant Driver				
Citation disposition: City Driver	Claimant Driver				
ensured dispersions enj bitter	Cidimunt Differ				
BASIS OF RECOMMENDATION:					
Function: Governmental	Ministerial X Other Damages reasonable X ected Compromise settlement				
Improper Notice More than Six Months	Other Damages reasonable X				
City not involved Offer reje	ceted Compromise settlement				
Repair/replacement by Ins. Co.	Repair/replacement by City Forces				
Claimant Negligent City Negligent	X Joint Claim Abandoned				
	Respectfully submitted,				
	Dem Muchine				
	INVESTIGATOR - DIANNE C. MITCHELL				
RECOMMENDATION:					
Pay \$ 690.73 \ Adverse \ Adverse	Account charged: 1A012J01_X2H01				
Claims Manager:	Concur/date 78-78-20				
Committee Action:	Council Action				

FORM 23-61

COUNCIL OF THE CI			RE: CLAIM FOR	DAMAGES	09/05/00
CLERK OF COUNCIL			Today's Da	te: 8.15-00	Dil
City Hall	N		100ay 3 Da	e. <u> </u>	- Gra
55 Trinity Avenue, S.V. Atlanta, Georgia 3033	5 8		**************************************	and the state of	
. 3			TERED - 9-6-00 -		
Dear Clerk of Council:			LO526 - DIANNE N		77?
This is to notify the C and/or \$	ity of Atlanta that I h	ave suffered dar for which I conter	nages in the amount nd the City is liable.	sum of \$ <u>690</u>	property
				1	
Date of incident	1 0 00		2. Police called: _	V No.	
	• •				~\\
					prox. 3 rd lane from [
4. Name of your insuran	ce company: <u>FNIST</u>	ate_		Policy No. (c)	5021501
5. State what and how inc	ident occurred: As I	drove dow	n w. Preochtre	ese than I,s	o, metal cover
that was ob	ced in the rox	lodnom) be	2) - Mantide	did not cover	entuchole.
4 following 2	sym, b nod bud	or tegan p	Hering. The	hole coused a	hale in my Down pipe - exhaust
	٠ ٦ ،				Danu biby-expansi
6. ALL ESTIMATES A RESULT IN YOUR	AND DAMAGES ARE CLAIM BEING DEN	ESUBJECT TO IT IED AND MAY	NSPECTION. THE PRESULT IN CRIMIT	MAKING OF FALSE NAL PROSECUTION	OLAIMS WILL P.Pe
7. The registered over estimates of repair	vner must make the and proof of ownersh				
Varranskieler (C	Azda Protego	1999	356 HM	Janon Se	skin
rourvenice:	tazela Protege (make)	(year)	(tag number)	(driver's	name)
		()	((,
City vehicle:((City driver's			-
				(department/	
8. Witness: Fro	iron sestin	SH9 N	. Decatur Rd	. Decatur Ga	2023 4-634-7914
	(name)		(address)		
9. The acknowledgen			(Haaress)	(telephone number)
by State law, nor i	nent of this claim in nos it an admission of li		e Governmental imn	nunity of the City of	telephone number) Atlanta, as granted
•	s it an admission of li	ability on behalf	e Governmental imn f of the City of Atlar	nunity of the City of	telephone number) Atlanta, as granted
by State law, nor i	s it an admission of li	ability on behalf	e Governmental imn f of the City of Atlar shown above.	nunity of the City of ata and/or its emplo	telephone number) Atlanta, as granted
10. This claim should I HEREBY SWEAF	s it an admission of li be mailed immediate R OR AFFIRM THAT	ability on behalf ly to the address THE ABOVE	e Governmental imn f of the City of Atlar shown above.	nunity of the City of ata and/or its emplo	telephone number) Atlanta, as granted
10. This claim should I HEREBY SWEAF INFORMATION I	s it an admission of li be mailed immediate R OR AFFIRM THAT S TRUE AND CORRE	ability on behalf ly to the address THE ABOVE	e Governmental imn f of the City of Atlar shown above.	nunity of the City of that and/or its emplo	telephone number) Atlanta, as granted
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10. This claim should I HEREBY SWEAF INFORMATION I	s it an admission of li be mailed immediate R OR AFFIRM THAT S TRUE AND CORRE	ability on behalf ly to the address THE ABOVE	e Governmental imn f of the City of Atlar shown above. Jane	claimant's name) (address) (city and state)	telephone number) Atlanta, as granted yee(s).

(work number)

(home number)

GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 00L0526		\$ 690.73	
IN CONSIDERATION of the sum of	SIX HUNDRED NI	NETY AND 73/100	
DOLLARS, to be paid by the CITY O	FATLANTA the fi	iture receipt of which is hereby	acknowledged
I do hereby, for myself, my heirs, executors, ad	ministrators and as	sions release and forever disch	parge said City
its officers and employees, from any and all cla	sims demands action	ons causes of action suits dar	nages loss and
expenses, of whatsoever kind or nature for or on	account of anything	that has heretofore occurred a	and particularly
for or on account of <u>vehicular damage due to</u>	slipped metal plate	in the roadway	ma particularly
	supped inetal plate	III the roadway	
which occurred on or about the8 th	day of	July	
at or near West Peachtree Street between 14th a	and 16 th Streets		
It is further understood and agreed that t	he navment of the a	hove named sum is not to be or	ancidared og en
admission on the part of the City, its officers, a	gents servants or e	mployees of any liability what	toogyer and the
undersigned further covenants and agrees to ind	lemnify and hold ha	rmless the City of Atlanta its o	sucvei and the
servants and employees, from any and all clair	ns damages or cost	ts which the said City of Atlan	to its officers
agents, servants and employees, may be called to	unon to make as a re	esult of the event hereinhefore	referred to
good, and and outproject, may be called	apon to make us u i	said of the event heremoetore i	ciciica to.
And I now state that the only considerati	on for my signing th	nis release and indemnification	is the navment
of the sum stated above; that no other promise o	r agreement of any 1	kind or nature has been made to	or with me by
said City or its agents to cause me to sign this r	elease, and that I fi	Illy understand the meaning an	d intent of this
instrument.		and and another and another and	a mitorit or time
24	th		
WITNESS my hand and seal this 20	day of	September	, 2000.
•		September na Seshi	,2000.
	1		
		was eshi	(LS)
	JANNA/SÆSK	IN	
The above release was read and explaine	ad to and alamad bu	4h	
The above release was read and explaine	a to, and signed by	the said <u>OathW Sesk</u>	<i>-M</i> /
9/201	in c	our presence on the date above	written.
Dand B. O'Han		9 0	
Notary Public, DeKalb County, Georgia		disa Kood	
My Commission Expires Oct. 17, 2003	21	1 1/1	
•		via of Notes	
		WITNESSES	

Atlanta City Council

Regular Session

MUTIPLE CLAIMS WITH FAVORABLE/Unfavor recommend ITEMS 1-29 ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 1
ABSENT 1